

REMARKS:

Claims 15 and 17-33 are presented for examination, with claims 15, 17, 18, 19, 22, 23, 28 and 31 having been amended hereby and claims 1-14 and 16 having been cancelled, without prejudice or disclaimer.

Reconsideration is respectfully requested of the rejection of claims 15 and 17-33 under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter.

In this regard, it is respectfully submitted that applicant does not necessarily concur with the Examiner in the Examiner's analysis of the claims of the present application and the current state of the law.

Nevertheless, in order to expedite prosecution of the application, the claims have been amended hereby to more clearly recite the computer-related aspect of the invention.

Thus, it is respectfully submitted that the rejection of claims 15 and 17-33 under 35 U.S.C. §101 has been overcome.

Reconsideration is respectfully requested of the rejection of claims 18, 28 and 31 under 35 U.S.C. §112 as not being clearly understood due to the open-ended nature of the Markush group.

In this regard, claims 18, 28 and 31 have been amended as suggested by the Examiner (i.e., the phrase "selected from the group including" has been replaced by the phrase "selected from the group consisting of").

Thus, it is respectfully submitted that the rejection of claims 18, 28 and 31 under 35 U.S.C. §112 has been overcome.

Reconsideration is respectfully requested of the rejection of claims 15, 19, 22 and 33 under 35 U.S.C. §103(a) as allegedly being unpatentable over "Financial Post", "Livingston" and "Bella".

It is respectfully submitted that applicant does not necessarily concur with the Examiner in the Examiner's analysis of claims 15, 19, 22 and 33 of the present application and the "Financial Post", "Livingston" and "Bella" references.

For example, two of these references ("Financial Post" and "Bella") are financial-related articles from various periodicals. The third reference ("Livingston") is actually from what appears to be a treatise on bonds and bond derivatives. There simply appears to be no teaching or suggestion to tie the various references together in the form suggested by the Examiner. This is important, because applicant does not suggest that the invention is a specific financial element (e.g., a revenue bond)

but, rather, the totality of the method currently claimed.

Moreover, it is noted that even were the various references to be combined as suggested by the Examiner, the hypothetical combination would still fail to produce the claimed method.

This is at least because independent claim 15 explicitly recites a requirement that the bond issuer establish revenue rates sufficient to pay the repayment obligation by the expected payment date and that none of “Financial Post”, “Livingston” or “Bella” show this feature.

In this regard, it is noted that even the Examiner himself explicitly indicates (with regard to “Financial Post”) and implicitly indicates (with regard to “Livingston”) that neither of these two reference discloses such a requirement (see, pages 16 and 17 of the May 17, 2005 Office Action).

Further, while the Examiner relies upon “Bella” as allegedly disclosing such requirement, a studied review of “Bella” reveals that no such requirement is disclosed. For example, the Examiner cites the following paragraph from “Bella”:

Either way, sewer rates are likely to climb. According to Financial Consulting Solutions, which the city contracted to study sewer and water rates, the city needs the additional revenue from a rate increase to pay off revenue bonds sold last year to finance sewer system improvements.

As seen from this excerpt, while the city may, indeed, need the additional revenue, there is no requirement that a bond issuer establish revenue rates sufficient to pay a repayment obligation by an expected payment date.

In fact, the paragraph in “Bella” immediately preceding the paragraph cited by the Examiner indicates that “several council members say the recommendations by Financial Consulting Solutions Group ... call for too sharp a jump in rates. They instead might consider a more gradual increase through several more years.”

Therefore, what is put forth by Financial Consulting Solutions in the “Bella” reference is simply a recommendation, not a requirement. Thus, the council members have the option of considering various rate structures and are nowhere said to be required to establish revenue rates sufficient to pay a repayment obligation by an expected payment date.

Thus, it is respectfully submitted that the rejection of claims 15, 19, 22 and 33 under 35 U.S.C. §103(a) as allegedly being unpatentable over “Financial Post”, “Livingston” and “Bella” has been overcome.

Reconsideration is respectfully requested of the rejection of claims 17, 18, 20, 21 and 23-32 under 35 U.S.C. §103(a) as allegedly being unpatentable over "Financial Post", "Livingston" and "Bella" and further in view of various additional references.

It is respectfully submitted that applicant does not necessarily concur with the Examiner in the Examiner's analysis of claims 17, 18, 20, 21 and 23-32 of the present application and the "Financial Post", "Livingston" "Bella" and various other references.

Nevertheless, it is noted that each of claims 17, 18, 20, 21 and 23-32 depends (directly or indirectly) from independent claim 15. Therefore, it is respectfully submitted that each of claims 17, 18, 20, 21 and 23-32 is patentably distinct for at least the same reasons as the claim from which it depends.

Thus, it is respectfully submitted that the rejection of claims 17, 18, 20, 21 and 23-32 under 35 U.S.C. §103(a) as allegedly being unpatentable over "Financial Post", "Livingston" and "Bella" and further in view of various additional references has been overcome.


Accordingly, it is respectfully submitted that each rejection raised by the Examiner in the May 17, 2005 Office Action has been overcome and that the above-identified application is now in condition for allowance.

Finally, it is noted that this Amendment is fully supported by the originally filed application and thus, no new matter has been added. For this reason, the Amendment should be entered.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,
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